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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 UNITED STATES OF AMERICA,  
10 Plaintiff,

11 vs.

12 MICHAEL FEHLMAN,  
13 Defendant.

**2:11-cr-00223-MMD -CWH**

**UNOPPOSED MOTION TO CONDUCT**  
**A PRE-PLEA PRESENTENCE**  
**INVESTIGATION REPORT AND**  
**PROPOSED ORDER**

14 **CERTIFICATION: THIS MOTION IS TIMELY FILED.**  
15

16 **COMES NOW** the defendant, **MICHAEL FEHLMAN** by and through his counsel,  
17 **MICHAEL P. KIMBRELL, ESQ.**, and hereby moves this Honorable Court for an order for Mr.  
18 Fehlman's criminal history category to be calculated. Counsel for Mr. Fehlman believes defendant  
19 has no felony convictions but does have a record of misdemeanor convictions. Counsel has  
20 communicated with Government counsel and authorization to represent they have no opposition to  
21 this motion. Counsel for defendant therefore respectfully moves this Court for a Pre-Plea  
22 Presentence Investigation Report to be prepared by the United States Department of Parole and  
23 Probation.  
24

**DATED** this 28<sup>th</sup> day of July, 2012.

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26 Respectfully submitted,

27 /s/ Michael P. Kimbrell  
MICHAEL P. KIMBRELL, ESQ.  
28 Counsel for Michael Fehlman


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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	2:11-cr-00223-MMD -CWH
	)	
Plaintiff,	)	
	)	<u>ORDER</u>
vs.	)	
	)	
MICHAEL FEHLMAN,	)	
	)	
Defendant.	)	

IT IS HEREBY ORDERED that the United States Department of Parole and Probation will prepare a Pre-Plea Pre-Sentence Investigation Report on Defendant Michael Fehlman.

DATED this 30th day of July, 2012.

  
UNITED STATES DISTRICT JUDGE

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**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that I am an employee of Michael P. Kimbrell, LTD, and is a person of such age and discretion as to be competent to serve papers. That on July 28, 2012, I served an electronic copy of the above and foregoing UNOPPOSED MOTION TO CONDUCT A PRE-PLEA PRESENTENCE INVESTIGATION REPORT AND PROPOSED ORDER by electronic service (ECF) to the person(s) named below:

DANIEL G. BOGDEN  
United States Attorney  
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Las Vegas, NV 89101  
Counsel for United States

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/s/ Michael P. Kimbrell, Esq.  
Employee of Michael P. Kimbrell, LTD